

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOVAN CAMPBELL,

Plaintiff,

-against-

GLOBAL FITNESS, INC.,

Defendant.

23-cv-02926 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

Plaintiff alleges that Defendant's website is not accessible to blind and visually impaired customers and, thus, violates Title III of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12181 *et seq.* The Court referred this case for mediation to the Court-annexed Mediation Program. ECF No. 13. The Mediation Office reported that this court-ordered mediation was not held as one or both parties failed, refused to attend, or refused to participate in the mediation. By separate Order today, the Court is referring this case to the assigned Magistrate Judge for both for General Pretrial Purposes, including settlement.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If all parties so consent, counsel shall file on ECF a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, available at <https://www.nysd.uscourts.gov/forms/consent-proceed-us-magistrate-judge>.

If the parties do so, and the Court so orders the form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before the undersigned. There will be no adverse consequences if the parties do not consent to proceed before the Magistrate Judge.

Dated: October 10, 2023

New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge